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10 Attorneys for Defendant JAMES ARTHUR RAY

11 SUPERIOR COURT OF STATE OF ARIZONA
12 COUNTY OF YAVAPAI
13

14 STATE OF ARIZONA,

15 Plaintiff,

16 vs.

17 JAMES ARTHUR RAY,

18 Defendant.

CASE NO. V1300CR201080049

Hon. Warren Darrow

**DEFENDANT JAMES ARTHUR RAY'S
MOTION FOR DISCLOSURE BY
ORDER OF THE COURT PURSUANT
TO ARIZ. R. CRIM. P. 15.1(G)**

DIVISION PTB

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21 Defendant James Arthur Ray, by and through undersigned counsel, hereby moves this
22 Court for an Order for disclosure regarding Richard Haddow pursuant to Ariz. R. Crim. P.
23 15.1(g). This motion is supported by the following Memorandum of Points and Authorities. A
24 proposed Order is attached.
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Jacqueline Handman

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By this motion and pursuant to Ariz. R. Crim. P. 15.1(g), the defense requests that the Court order the following disclosure from the Yavapai County Attorney's Office, the Yavapai County Sheriff's Office, and Richard Haddow:

1. Any and all communications between the Yavapai County Attorney's Office and Richard Haddow, including without limitations e-mails and written correspondence.
2. Any and all communications between the Yavapai County Sheriff's Office and Richard Haddow, including without limitations e-mails and written correspondence.
3. Any and all reports, including drafts or preliminary reports, statements, and examination notes made by Richard Haddow in connection with the October 8, 2009 sweat lodge incident at Angel Valley.
4. Any and all documents, information and items provided to Richard Haddow by the Yavapai County Attorney's Office and/or the Yavapai County Sheriff's Office.
5. Any and all documents, information and items relied upon Richard Haddow in reaching any conclusions, opinions, or results in connection with the October 8, 2009 sweat lodge incident at Angel Valley.
6. Interview of Detective Ross Diskin, after disclosure of items 1 through 5.
7. Interview of Richard Haddow, after disclosure of items 1 through 5..
8. Interview of County Attorney Sheila Polk, after disclosure of items 1 through 5.

1 9. Interview of Deputy County Attorney Bill Hughes, after disclosure of items 1
2 through 5.

3 Given that this Court has found Mr. Haddow's report to be exculpatory and favorable to
4 Mr. Ray "in all aspects of his defense as presented at trial," Mr. Ray has substantial need in the
5 preparation of his case for the requested material and information, and is unable to without undue
6 hardship obtain the substantial equivalent by other means. Because of the State's suppression of
7 this exculpatory evidence until eight weeks into trial, Mr. Ray not only has a substantial but an
8 urgent need for the requested disclosure. Pursuant to Rule 15.1(g), this Court should exercise its
9 discretion to "order any person to make it available to the defendant," Ariz. R. Crim. P. 15.1(g),
10 as set forth in the proposed Order.

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13 DATED: April 14, 2011

MUNGER, TOLLES & OLSON LLP
BRAD D. BRIAN
LUIS LI
TRUC T. DO
MIRIAM L. SEIFTER

16 THOMAS K. KELLY

17
18 By: 

19 Attorneys for Defendant James Arthur Ray

20 Copy of the foregoing delivered this 14th day
21 of April, 2011, to:

22 Sheila Polk
23 Yavapai County Attorney
24 Prescott, Arizona 86301

25 by 

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12 SUPERIOR COURT OF STATE OF ARIZONA
13 COUNTY OF YAVAPAI

14 STATE OF ARIZONA,

15 Plaintiff,

16 vs.

17 JAMES ARTHUR RAY,

18 Defendant.

CASE NO. V1300CR201080049

**ORDER GRANTING DISCLOSURE
PURSUANT TO ARIZ. R. CRIM. P.
15.1(G)**

Div. PTB - Honorable Warren R. Darrow

1 Based on Defendant James Arthur Ray's Motion for Disclosure By Order of the Court
2 Pursuant to Ariz. R. Crim. P. 15.1(g), and good cause appearing therefor, specifically that the
3 Defendant has substantial need in the preparation of his case for material or information not
4 otherwise covered by Rule 15.1, and that the defendant is unable without undue hardship to
5 obtain the substantial equivalent by other means:
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7 IT IS ORDERED that the Yavapai County Attorney's Office, Yavapai County Sheriff's
8 Office, and Richard Haddow produce and disclose the following items in its possession, custody
9 or control to Defendant forthwith.
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- 11 1. Any and all communications between the Yavapai County Attorney's Office and
12 Richard Haddow, including without limitations e-mails and written
13 correspondence.
- 14 2. Any and all communications between the Yavapai County Sheriff's Office and
15 Richard Haddow, including without limitations e-mails and written
16 correspondence.
- 17 3. Any and all reports, including drafts or preliminary reports, statements, and
18 examination notes made by Richard Haddow in connection with the October 8,
19 2009 sweat lodge incident at Angel Valley.
- 20 4. Any and all documents, information and items provided to Richard Haddow by the
21 Yavapai County Attorney's Office and/or the Yavapai County Sheriff's Office.
- 22 5. Any and all documents, information and items relied upon Richard Haddow in
23 reaching any conclusions, opinions, or results in connection with the October 8,
24 2009 sweat lodge incident at Angel Valley.
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1 IT IS FURTHER ORDERED that County Attorney Sheila Polk, Deputy County Attorney
2 Bill Hughes, Detective Ross Diskin and Richard Haddow submit to a tape-recorded interview by
3 the defense at a date and time arranged by the parties and only after disclosure of items 1 through
4 5 has been made.

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6 SIGNED this ____ day of April, 2011.

7 _____
8 Warren R. Darrow

9 Judge of the Superior Court
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